

FAR REVISIONS

ELECTRONIC COMMERCE IN FEDERAL PROCUREMENT

The Federal Acquisition Regulation (FAR) has been changed to further implement the use of electronic commerce in awarding federal contracts. The FAR change designates a single point of universal electronic public access to Governmentwide procurement opportunities (the "Governmentwide Point of Entry" or "GPE"). Agencies may provide access to notices through the GPE, as designated in the FAR, instead of publishing them via the *Commerce Business Daily* (CBD). This provides contractors that are interested in doing business with the Federal Government an easily accessible electronic means of determining government's upcoming needs.

The Federal Business Opportunities ("FedBizOpps") has been designated as the GPE. Agencies have until

Oct. 1, 2001, to complete their transition to, or integration with, FedBizOpps. By that date, all agencies must use FedBizOpps to provide access to public notices of procurement actions over \$25,000 that are currently required to be published in the CBD, along with associated solicitations and amendments. In addition, agencies will not be required to provide notice in the CBD as of Jan. 1, 2002, since access to this information will be provided on the Internet through FedBizOpps. According to Defense Procurement Director Deidre A. Lee, "Moving to an electronic commerce system to simplify and streamline the procurement process will enhance customer service and promote cost effectiveness."

EXECUTIVE ORDER (EO) 13202

PRESERVATION OF OPEN COMPETITION AND GOVERNMENT NEUTRALITY TOWARD GOVERNMENT CONTRACTORS' LABOR RELATIONS ON FEDERAL AND FEDERALLY FUNDED CONSTRUCTION PROJECTS

The FAR has been changed to implement EO 13202, *Preservation of Open Competition and Government Neutrality Toward Government Contractors' Labor Relations on Federal and Federally Funded Construction Projects*, dated Feb. 22, 2001, as amended by EO 13208, dated April 11, 2001.

This FAR change provides that agencies may not require or prohibit offerors, contractors, or subcontractors from entering into or adhering to agreements

with one or more labor organizations. It also permits agency heads to exempt a project from this requirement under special circumstances in order to avert an imminent threat to public health or safety, or to serve the national security. The exemption may not be related to the possibility of an actual labor dispute. An exemption may be allowed for projects governed by a project labor agreement in place as of Feb. 17, 2001, which had a construction contract awarded as of Feb. 17, 2001.

EO 13204

REVOCATION OF EXECUTIVE ORDER ON NONDISPLACEMENT OF QUALIFIED WORKER UNDER CERTAIN CONTRACTS

The FAR has been changed to implement EO 13204, *Revocation of Executive Order on Nondisplacement of Qualified Worker Under Certain Contracts*, dated Feb. 17, 2001. The EO requires that any FAR changes implementing EO 12399, *Nondisplacement of Qualified Worker Under Certain Contracts*, be promptly rescinded. EO 12399 required that building service contracts for public buildings include a clause requiring the contractor, under a contract that succeeds

a contract for performance of similar services at the same public building, to offer certain employees under the predecessor contract, a right of first refusal to employment under the new contract. This FAR change removes this requirement.

Editor's Note: FAR revisions are posted to the General Services Administration Web site at <http://www.arnet.gov/far/>.